

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

GOTSPACE DATA LLC, et al.,)	
Plaintiffs,)	
v.)	CIVIL ACTION
NE EDGE, LLC, et al.,)	No. 22-12215-AK
Defendants.)	
)	

ORDER

A. KELLEY, D.J.

January 4, 2023

On December 27, 2022, plaintiffs filed a complaint and did not pay the \$350.00 filing fee and the \$50.00 administrative fee, see 28 U.S.C. § 1914(a) (\$350.00 filing fee for all non-habeas civil actions). [Dkt. 1.]

The complaint has not been filed through cm/ecf. The complaint includes a typed signature for pro se litigant Nicholas Fiorillo and a typed signature for corporate counsel Neil Kreuzer. [Id. at p. 90].¹ On December 29, 2022, Fiorillo filed duplicate copies of the complaint with a cover letter, [Dkt. 3], along with an emergency motion to compel federal court personnel to properly process civil complaint filed by plaintiffs. [Dkt. 4.] The documents contain the typed signature of Fiorillo and not counsel of record.

Because Neil Kreuzer's typed signature appears on the signature block of the complaint, he was entered on the docket as attorney of record for plaintiffs. Only Fiorillo's typed signature

¹ The Court's records indicate that Fiorillo and Attorney Kreuzer were ordered to show cause why they should not be sanctioned for improperly attempting to remove a civil action from state court in which Fiorillo is a plaintiff. See Ocean Vacation, LLC, et al., v. Najarian, et al., C.A. No. 22-12160-IT (Electronic Order, Dkt. 4).

appears on the emergency motion, even though his typed signature also appears on the complaint.

Fiorillo's pro se emergency motion will be denied because any communication he has with the Court while represented by counsel shall be through counsel. Pursuant to 28 U.S.C. § 1654, “[i]n all courts of the United States the parties may plead and conduct their own cases personally or by counsel” Thus, to the extent that Fiorillo is represented by Attorney Kreuzer, he cannot file documents in a pro se capacity.

Based on the foregoing, the emergency motion [Dkt. 4] is DENIED; plaintiffs² must pay the \$402.00 filing and administrative fees and Attorney Kreuzer shall advise the Court, in writing, whether he is representing the plaintiffs in this action. Failure to comply with these directives within 21 days of the date of this Order shall result in the dismissal of this action.

SO ORDERED.

/s/ Angel Kelley
Hon. Angel Kelley
United States District Judge

² Trusts and corporations may not seek leave to proceed *in forma pauperis* because “only a natural person may qualify for treatment in forma pauperis under § 1915.” Rowland v. California Men’s Colony, 506 U.S. 194, 196 (1993).